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SERVICE DATE - FEBRUARY 13, 2004

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-400 (Sub-No. 3X)

**Seminole Gulf Railway, L.P. – Abandonment Exemption –
in Sarasota County, FL**

BACKGROUND

In this proceeding, Seminole Gulf Railway, L.P. (SGLR) has filed a petition for exemption under 49 CFR 1152 seeking exemption from the requirements of 49 U.S.C. 10903 for SGLR to abandon 12.43 miles of rail line extending from milepost SW 892 outside the city limits of Sarasota to milepost SW 904.4 near Venice, in Sarasota County, Florida. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, SGLR will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to SGLR, the land upon which the line is constructed was acquired by the Seaboard Air Line Railway Company, principally during the latter half of 1910. The railroad was built soon thereafter. The right-of-way begins south of Sarasota. The first two miles are bordered by residential developments, including related road systems. The right-of-way runs south through inhabited and uninhabited areas, including swampy areas and Oscar Scherer State Park. Several small creeks and drainage canals parallel and/or cross the right-of-way. The line ends in Venice. The width of the right-of-way is approximately 100 feet, with minor areas of narrower width, and a wider portion at the most southerly end of the rail line.

SGLR, together with the underlying landowner CSX Transportation, Inc., has granted The Trust for Public Land an option to acquire the rail line for conversion to a trail. The Trust for Public Land will be working with Sarasota County to convert the rail line into a trail. Due to the pending sale of the line proposed for abandonment to The Trust for Public Land, SGLR is planning to leave the right-of-way and structures in place, and is not planning any salvage of the line.

The proposed abandonment includes open deck timber trestle bridges, a steel girder span that connects two timber trestles (milepost SW 900.80), and concrete and cast iron culverts. These structures were built over 50 years ago. Each structure has had components repaired, replaced and/or

been entirely replaced over time. There have been no major repairs since 1987 when SGLR became the owner of the rail line.

According to SGLR, no traffic has moved over the line during 2003 or during the last nine months of 2002. The last delivery to a shipper via the line was on March 14, 2002. During the first three months of 2002, SGLR delivered 20 cars of plywood and lumber to a single customer (Kimal Lumber) at a team track located on the line, where the freight was transloaded to truck. The customer now receives freight cars from SGLR at a team track location on a different line segment. Therefore, there will be no diversion of rail traffic to truck traffic as a result of the proposed abandonment.

SGLR states that only three other customers have received traffic over the line in the last several years, but none have received any cars since May 2001. These customers were Sheckler Produce (one carload delivered via team track in March 2001); Ferrelgas of Sarasota (last car was delivered at the end of 2000); and King Plastic Corporation (21 cars through May 2001 delivered via team track).

ENVIRONMENTAL REVIEW

SGLR submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The applicants served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The National Geodetic Survey has advised us that seventeen geodetic station markers have been identified that may be affected by the proposed abandonment.

HISTORIC REVIEW

SGLR submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. SGLR served the report on the Florida Division of Historical Resources (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR

800.11(d), consists of SGLR's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

CONDITIONS

We recommend that the following environmental condition be placed on any decision granting abandonment authority:

1. The National Geodetic Survey (NGS) has identified seventeen geodetic station markers that may be affected by the proposed abandonment. Therefore, SGLR shall notify NGS 90 days prior to salvage activities in order to plan for their relocation.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-400 (Sub No. 3X) in all correspondence addressed to the Board.** If you have any questions regarding this environmental assessment, you should contact Kenneth Blodgett, the environmental contact for this case by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov.

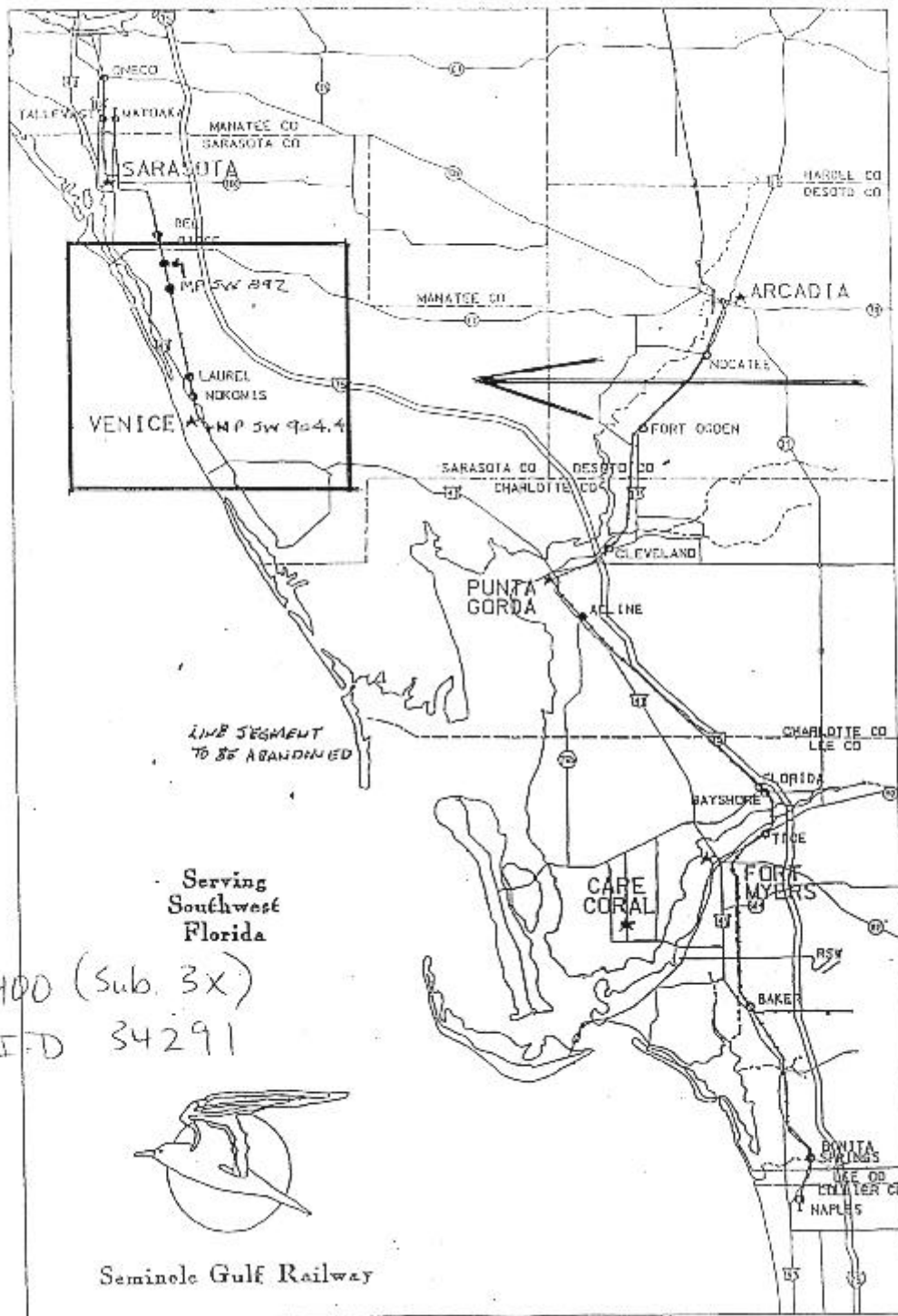
Date made available to the public: February 13, 2004.

Comment due date: **March 15, 2004 (30 days).**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment



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